IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.N.KRISHNAN

MONDAY, THE 16TH JULY 2007 / 25TH ASHADHA 1929

Tr.P(C).No. 100 of 2006()

OP.107/2005 of FAMILY COURT, KALPETTA
.....

PETITIONER

JAISAMMA @ GRESIAMMA,
AGED 40 YEARS, D/O.JOSEPH,
MATTATHIL HOUSE, KOORACHUVADU AMSOM DESOM,
P.O.MATTANODU, PERAMBRA VIA.,
KOZHIKODE DISTRICT.

BY ADV. SRI.V.RAJAGOPAL

RESPONDENTS:

BABU JOSEPH @ EMMANUEL JOSEPH,
S/O.JOSEPH, AGED 41,
KUNNATHOTTATHIL HOUSE,
THARIHODU AMSOM, DESOM,
BIBLELANT.P.O, VYTHIRI TALUK,
WAYANAD DISTRICT.

BY

THIS TRANSFER PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 16/07/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

ORDER ON I.A. 1457 OF 2006
IN
Tr.P.C. NO.100 OF 2006

DISMISSED

16/7/07 **SD/- M.N. KRISHNAN, JUDGE.**

[True Copy]

P.A. TO JUDGE.

M.N. KRISHNAN, J.

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Tr.P.C. NO. 100 OF 2006

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Dated this the 16th day of July, 2007.

J U D G M E N T

Respondent served and service complete. This Transfer Petition is filed by the wife to transfer O.P.107/05 pending before the Family Court, Wynad to the Family Court, Kozhikode to be tried along with O.P.151/06 and M.C.50/06. It is averred that the petitioner is residing in an interior place at Kozhikode town namely, Perambra and the accessibility to reach Wynad is very difficult. Even if she starts in the morning she will not be able to reach the Court at Wynad in time and that she has got a 12 year old daughter who cannot be left alone and further that her father is a aged person who cannot accompany her. So there are real difficulties for the petitioner to travel from an interior place in Kozhikode to Wynad. All these averments are not controverted by filing a counter affidavit also. The reasons stated for transfer appears to be genuine and certainly it will cause great hardship to the petitioner if it is not transferred. Therefore, I am convinced

about the grounds and order transfer of O.P.107/05 pending before the Family Court, Wynad to the Family Court, Kozhikode to be tried along with O.P.151/06 and M.C.50/06. The Family Court, Wynad is directed to intimate the petitioner in O.P.107/05 about the transfer before effecting actual transfer.

The Tr.P.C. is disposed of accordingly.

M.N. KRISHNAN, JUDGE.

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